

16-6a-1010 Amendment of bylaws by board of directors or members.

- (1) The board of directors may amend the bylaws at any time to add, change, or delete a provision, unless:
 - (a) this chapter or the articles of incorporation or bylaws:
 - (i) reserve the power exclusively to the members in whole or part; or
 - (ii) otherwise prohibit the board of directors from amending the bylaws to add, change, or delete a provision; or
 - (b) it would result in a change of the rights, privileges, preferences, restrictions, or conditions of a membership class as to voting, dissolution, redemption, or transfer by changing the rights, privileges, preferences, restrictions, or conditions of another class.
- (2)
 - (a) Unless otherwise provided by the bylaws, the members may amend the bylaws even though the bylaws may also be amended by the board of directors.
 - (b) Amendments to the bylaws by members shall be made in accordance with Sections 16-6a-1003 and 16-6a-1004 as if each reference in Sections 16-6a-1003 and 16-6a-1004 to the article of incorporation was a reference to the bylaws.

Amended by Chapter 228, 2006 General Session